



214/12

ATTORNEY DOCKET NO.: EMP04-53

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Davis Foulger, William Minckler, Robert E. McElhaney, John Esposito,  
and William Babcock  
Serial No.: 09/911,216  
Title: METHOD OF BACKTRACING NETWORK PERFORMANCE  
Filing Date: July 23, 2001  
Examiner: Taylor, Nicholas R.  
Art Unit: 2141  
Conf. No.: 4900

---

**Certificate of Mailing Under 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **MAIL STOP AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: January 18, 2005

By: Mary A. Maietta  
(Typed or printed name of person mailing  
Document, whose signature appears below)

Signature: Mary A. Maietta

---

**MAIL STOP AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Enclosed is/are:

- [x] Transmittal Letter (this form, 2 pages, in duplicate), Total Pages: 4;
- [x] Amendment, Total Pages: 8;
- [x] Return Receipt Pre-paid Postcard (in duplicate), Total postcards: 2;
- [x] Authorization to charge Deposit Account No. 50-0901, if necessary;

- 2 -

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	22	- 26	= 0	X \$9.00	= \$0.00
Independent Claims	2	- 3	= 0	X \$44.00	= \$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>= \$0.00</b>

Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

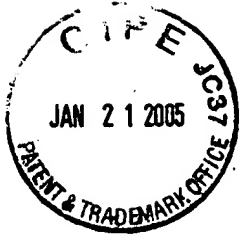
Respectfully submitted,



David W. Rouille, Esq.  
Attorney for Applicant  
USPTO Registration No.: 40,150  
CHAPIN & HUANG, L.L.C.  
Westborough Office Park  
1700 West Park Drive  
Westborough, Massachusetts 01581  
Telephone: (508) 366-9600  
Facsimile: (508) 616-9805

Attorney Docket No.: EMP04-53

Dated: January 18, 2005



ATTORNEY DOCKET NO.: EMP04-53

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Davis Foulger, William Minckler, Robert E. McElhaney, John Esposito, and William Babcock  
Serial No.: 09/911,216  
Title: METHOD OF BACKTRACING NETWORK PERFORMANCE  
Filing Date: July 23, 2001  
Examiner: Taylor, Nicholas R.  
Art Unit: 2141  
Conf. No.: 4900

---

**Certificate of Mailing Under 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **MAIL STOP AMENDMENT** Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on:

Date: January 18, 2005

By: Mary A. Maietta  
(Typed or printed name of person mailing  
Document, whose signature appears below)

Signature: Mary A. Maietta

---

**MAIL STOP AMENDMENT**  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action mailed October 22, 2004, please amend the above-identified Application as follows: